

A.1

Designation Run Report

Cox, Darren - Merged DA PC DC 7-10-21 11am

Cox, Darren 07-15-2020

Defendants' Affirmatives 00:40:43

Plaintiffs' Counters 00:07:55

Defendants' Completeness 00:04:29

Plaintiffs' Completeness 00:07:38

Total Time 01:00:44



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10:03 - 10:12	Cox, Darren 07-15-2020 (00:00:25) 10:3 Can you please state your name and 10:4 address for the record. 10:5 A. Yes. My name is Darren Cox. 10:6 Q. And where do you live, Special Agent 10:7 Cox? 10:8 A. Arlington, Virginia. 10:9 Q. What is your current job title? 10:10 A. Supervisory special agent. 10:11 Q. And that's with the FBI, correct? 10:12 A. Yes.	VM32.1
10:21 - 11:06	Cox, Darren 07-15-2020 (00:00:25) 10:21 Q. Special Agent Cox, you previously 10:22 served as coordinator of the Huntington Violent 11:1 Crime and Drug Task Force; is that correct? 11:2 A. Yes. 11:3 Q. When did you begin in that role? 11:4 A. I began in that role, I believe 11:5 around November of 2012 and concluded around 11:6 April of -- or May of 2015.	VM32.2
28:12 - 28:21	Cox, Darren 07-15-2020 (00:00:17) 28:12 Q. Before you were subpoenaed to 28:13 testify in this case, had you ever heard of 28:14 McKesson Corporation? 28:15 A. No, I had not. 28:16 Q. Had you ever heard of Cardinal 28:17 Health? 28:18 A. No. 28:19 Q. Had you ever heard of 28:20 AmerisourceBergen Corporation? 28:21 A. No.	VM32.3
29:22 - 31:20	Cox, Darren 07-15-2020 (00:01:29) 29:22 Q. Sitting here today, can you identify 30:1 anything specific that McKesson Corporation has 30:2 done that is unlawful? 30:3 A. No. 30:4 Q. Can you identify anything specific 30:5 that McKesson Corporation has done that is 30:6 unreasonable? 30:7 A. No.	VM32.4

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30:8 Q. How about for Cardinal Health? Can
30:9 you identify anything specific that Cardinal
30:10 Health has done that is unlawful?

30:11 A. No.

30:12 Q. Can you identify anything specific
30:13 that Cardinal Health has done that is
30:14 unreasonable?

30:15 A. No.

30:16 Q. Can you identify anything specific
30:17 that AmerisourceBergen has done that is
30:18 unlawful?

30:19 A. No.

30:20 Q. Can you identify anything specific
30:21 that AmerisourceBergen has done that is
30:22 unreasonable?

31:1 A. No.

31:2 Q. Sitting here today, do you know
31:3 anything about any of the systems that the
31:4 defendants have in this case in place to
31:5 prevent diversion of prescription opioids?

31:6 A. I do not.

31:7 Q. Special Agent Cox, because you are
31:8 not familiar with those systems, you would not
31:9 be able to identify any apps attached to those
31:10 systems that you consider to be defective,
31:11 correct?

31:12 A. Correct.

31:13 Q. Do you know anything about what
31:14 information any of the defendants in this case
31:15 reported to the DEA?

31:16 A. I do not.

31:17 Q. Do you know anything about what
31:18 information any of the defendants in this case
31:19 reported to the State of West Virginia?

31:20 A. I do not.

35:10 - 35:19

Cox, Darren 07-15-2020 (00:00:22)

VM32.5

35:10 Q. Yes, sure. Do you have an
35:11 understanding of whether prescription opioid
35:12 medications are medically appropriate for the
35:13 treatment of chronic pain?

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35:14	A. I understand medical doctors make	
35:15	that determination. That's the best of my	
35:16	knowledge.	
35:17	Q. Based on your experience and	
35:18	understanding, do you believe medical doctors	
35:19	are in the best position to make that decision?	
36:12 - 36:13	Cox, Darren 07-15-2020 (00:00:05)	VM32.6
36:12	THE WITNESS: All right. Yes.	
36:13	Doctors make that determination.	
39:19 - 39:22	Cox, Darren 07-15-2020 (00:00:05)	VM32.7
39:19	Q. Do you believe at one point, there	
39:20	was an opioid epidemic in Cabell County, West	
39:21	Virginia?	
39:22	A. Yes.	
42:14 - 42:17	Cox, Darren 07-15-2020 (00:00:06)	VM32.8
42:14	Q. What is your understanding of the	
42:15	biggest drug threat facing Cabell County in	
42:16	Huntington, West Virginia, when you left the	
42:17	task force in 2015?	
43:04 - 43:05	Cox, Darren 07-15-2020 (00:00:04)	VM32.9
43:4	THE WITNESS: It was a combination	
43:5	of prescription drugs and heroin.	
43:07 - 43:11	Cox, Darren 07-15-2020 (00:00:11)	VM32.10
43:7	Q. When you left the task force in	
43:8	2015, was one of those two categories of drugs	
43:9	that you just mentioned, prescription opioids	
43:10	and heroin, a larger threat to Cabell County	
43:11	and the City of Huntington?	
43:22 - 44:03	Cox, Darren 07-15-2020 (00:00:14)	VM32.11
43:22	THE WITNESS: Yes. The drug problem	
44:1	changed over time. It changed from, I would	
44:2	say a higher percentage of prescription drugs	
44:3	to heroin by the time that I had left.	
44:05 - 44:11	Cox, Darren 07-15-2020 (00:00:19)	VM32.12
44:5	Q. So by the time you left the task	
44:6	force in 2015, heroin was a largest threat to	
44:7	the area?	
44:8	A. You know, I would say that they were	
44:9	-- I would say heroin probably was a larger	
44:10	percentage than prescription drugs at the time	

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44:18 - 45:09	<p>44:11 I left.</p> <p>Cox, Darren 07-15-2020 (00:00:41)</p> <p>44:18 Q. Okay. So then your testimony and</p> <p>44:19 your understanding is that there was a larger</p> <p>44:20 percentage of heroin seizures and cases in 2015</p> <p>44:21 compared to prescription opioid?</p> <p>44:22 A. Again, I want to be specific as far</p> <p>45:1 as the seizures. You know, there would be</p> <p>45:2 specific statistics of that that would reflect</p> <p>45:3 that. So -- and again, I think it would be</p> <p>45:4 relative as to the amount -- an amount of</p> <p>45:5 heroin versus an amount of pills are different</p> <p>45:6 amount, different quantities. A pound of</p> <p>45:7 heroin versus a pound of pills are different</p> <p>45:8 quantities, so I'm not sure I can answer that</p> <p>45:9 question the way it's stated.</p>	VM32.13
45:10 - 45:18	<p>Cox, Darren 07-15-2020 (00:00:24)</p> <p>45:10 Q. Okay. That's fair. Well, you</p> <p>45:11 previously testified that heroin was a larger</p> <p>45:12 percentage at the time you left in 2015, so I</p> <p>45:13 am trying to understand what you mean by that.</p> <p>45:14 A. Yes. I would -- I am basing that on</p> <p>45:15 the number of investigations and the number of,</p> <p>45:16 I guess, subjects that we would have worked</p> <p>45:17 that would have been specifically selling</p> <p>45:18 heroin as opposed to prescription drugs.</p>	VM32.14
45:19 - 46:12	<p>Cox, Darren 07-15-2020 (00:00:46)</p> <p>45:19 Q. Okay. So that's your understanding</p> <p>45:20 that there was a larger percentage of</p> <p>45:21 investigations and subjects in connection with</p> <p>45:22 heroin compared to prescription drugs in 2015?</p> <p>46:1 A. Yes.</p> <p>46:2 Q. Special Agent Cox, are you familiar</p> <p>46:3 with the phrase "diversion of pharmaceutical</p> <p>46:4 drugs?"</p> <p>46:5 A. Yes.</p> <p>46:6 Q. What does that phrase "diversion"</p> <p>46:7 mean?</p> <p>46:8 A. To me, the way that I am familiar</p> <p>46:9 with it, the diversion is -- would be people</p>	VM32.15

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46:10	using the -- obtaining a prescription for the	
46:11	narcotics and then using them for an illegal	
46:12	manner.	
47:10 - 48:03	Cox, Darren 07-15-2020 (00:00:36)	VM32.16
47:10	Q. So is it your understanding then	
47:11	that diversion of pharmaceutical drugs is	
47:12	always illegal?	
47:13	A. Yes.	
47:14	Q. So then the person who diverts a	
47:15	pharmaceutical drug has committed a crime,	
47:16	correct?	
47:17	A. Yes.	
47:18	Q. Do you have an understanding of	
47:19	whether the use or possession of a diverted	
47:20	pharmaceutical drug is a crime?	
47:21	A. Yes.	
47:22	Q. Just so there's no confusion, the	
48:1	use or possession of a diverted pharmaceutical	
48:2	drug is a crime, correct?	
48:3	A. Yes.	
49:10 - 52:08	Cox, Darren 07-15-2020 (00:03:03)	VM32.17
49:10	Q. How does diversion occur, Special	
49:11	Agent Cox?	
49:12	A. My understanding is an individual	
49:13	would go to a physician and receive a	
49:14	prescription for whatever form of narcotics and	
49:15	then they would take that prescription and sell	
49:16	that prescription.	
49:17	Q. Are you familiar with the term	
49:18	"doctor shopping?"	
49:19	A. Yes.	
49:20	Q. What does "doctor shopping" mean?	
49:21	A. Individuals that would go to	
49:22	different doctors in order to obtain a	
50:1	prescription.	
50:2	Q. Doctor shopping is a form of	
50:3	diversion, correct?	
50:4	A. Yes.	
50:5	Q. Doctor shopping is illegal; is that	
50:6	right?	

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50:7 A. My understanding is, the result of
 50:8 what they received from the doctor if they were
 50:9 going to sell that narcotic, then that would be
 50:10 illegal. I don't know if actually going to
 50:11 multiple doctors is illegal.

50:12 Q. Okay. Fair enough. What about
 50:13 theft from a pharmacy. Is that a form of
 50:14 diversion?

50:15 A. I'm sorry, can you repeat that.

50:16 Q. Yes, sure. Theft from a pharmacy.
 50:17 Is that a form of diversion?

50:18 A. I would assume if they stole
 50:19 prescription drugs that would be the purpose
 50:20 for that.

50:21 Q. Okay. What about sharing pills with
 50:22 someone without a prescription. Is that a form
 51:1 of diversion?

51:2 A. Yes.

51:3 Q. I believe you already testified to
 51:4 this, but selling pills on the street, that's a
 51:5 form of diversion as well, correct?

51:6 A. Yes.

51:7 Q. How about a doctor who knowingly
 51:8 prescribes prescription opioids without a
 51:9 legitimate medical purpose. Is that a form of
 51:10 diversion?

51:11 A. Yes, my understanding.

51:12 Q. What about forging a prescription
 51:13 for opioids. Is that a form of diversion?

51:14 A. Yes.

51:15 Q. Can you think of any other ways that
 51:16 prescription opioids can be diverted besides
 51:17 the ones we have just gone over?

51:18 A. I cannot.

51:19 Q. And all the forms of diversion that
 51:20 we just reviewed are illegal, correct?

51:21 A. Yes.

51:22 Q. The licensed distribution of
 52:1 controlled substances is not diversion,
 52:2 correct?

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	52:3 A. From my understanding, yes.	
	52:4 Q. So your understanding then is that a	
	52:5 distributor like McKesson Corporation is not	
	52:6 engaged in diversion when it delivers	
	52:7 medication to a licensed pharmacy?	
	52:8 A. Yes.	
57:06 - 57:08	Cox, Darren 07-15-2020 (00:00:06)	VM32.18
	57:6 Q. When did you first join the FBI?	
	57:7 A. I joined the FBI in December of	
	57:8 2001.	
59:12 - 59:22	Cox, Darren 07-15-2020 (00:00:34)	VM32.19
	59:12 When you joined in 2001, what was	
	59:13 your title?	
	59:14 A. Special agent.	
	59:15 Q. What were your responsibilities when	
	59:16 you were a special agent?	
	59:17 A. Initially, I was assigned to the	
	59:18 Phoenix Division of the FBI. My first	
	59:19 assignment, I was assigned to a white collar	
	59:20 squad which my responsibilities there were to	
	59:21 investigate bank fraud -- primarily bank fraud	
	59:22 investigations, criminal activity.	
61:20 - 62:04	Cox, Darren 07-15-2020 (00:00:16)	VM32.20
	61:20 Q. Okay. So when did you leave the	
	61:21 Phoenix office?	
	61:22 A. I left the Phoenix office in	
	62:1 December of 2009, I believe.	
	62:2 Q. Where did you go after that?	
	62:3 A. I transferred to Charleston, West	
	62:4 Virginia.	
62:09 - 62:12	Cox, Darren 07-15-2020 (00:00:07)	VM32.21
	62:9 Q. And what kind of work did you do	
	62:10 when you transferred to the Charleston office?	
	62:11 A. I was assigned to work	
	62:12 counterterrorism investigations.	
63:07 - 64:10	Cox, Darren 07-15-2020 (00:01:26)	VM32.22
	63:7 Q. I believe you testified that during	
	63:8 that time period from 2001 to 2009, you did do	
	63:9 some narcotics work in the Phoenix Division?	
	63:10 A. Yes.	

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63:11 Q. Did you encounter prescription

63:12 opioids during that time?

63:13 A. Not that I can recall, not in a --

63:14 certainly not in a large volume, as a large a

63:15 volume as after I transferred to West Virginia.

63:16 Q. Okay. And from 2001 to 2009 in the

63:17 Phoenix office, did you encounter any illegal

63:18 opioids like heroin or fentanyl?

63:19 A. Yes.

63:20 Q. Was heroin a problem at that time?

63:21 A. Not -- yes, it's always a problem

63:22 but it was a relatively small problem and it

64:1 was a -- I would say a very, very small number

64:2 of investigations that we were -- that involved

64:3 heroin.

64:4 Q. When you say "heroin is always a

64:5 problem," what do you mean?

64:6 A. Well, any type of illegal drug I

64:7 believe was a problem, so if someone is using

64:8 any illegal drug, those have negative

64:9 consequences so, therefore, as an investigator,

64:10 it's problematic when people break the law.

64:11 - 64:19

Cox, Darren 07-15-2020 (00:00:24)

VM32.23

64:11 Q. Understood. And in your experience

64:12 in law enforcement and with the task force, are

64:13 most illegal drugs present in some volume at

64:14 all times?

64:15 A. Yes.

64:16 Q. But at certain times, certain

64:17 illegal drugs become more popular and more

64:18 prevalent; is that right?

64:19 A. Yes.

64:22 - 65:18

Cox, Darren 07-15-2020 (00:00:50)

VM32.24

64:22 So you transferred to Charleston in

65:1 2009. You were working on counterterrorism

65:2 cases but also doing some narcotics work; is

65:3 that correct?

65:4 A. Assisting with narcotics work,

65:5 again, in a small office, you assist on a

65:6 number of investigations. My primary

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65:7 responsibilities were terrorism cases.

65:8 Q. How long were you in the Charleston
65:9 office?

65:10 A. In totality, I was assigned to the
65:11 -- well, if I could, it is easier probably to
65:12 break it down for you. I was in the Charleston
65:13 office for approximately 15 months, and then I
65:14 transferred to FBI headquarters as a
65:15 supervisory special agent.

65:16 Q. And FBI headquarters is in the
65:17 Washington, D.C., area?

65:18 A. Yes.

66:19 - 67:07

Cox, Darren 07-15-2020 (00:00:28)

VM32.25

66:19 Q. When you moved to FBI headquarters
66:20 in Washington in 2011, did you have a focus on
66:21 a specific region of the country?

66:22 A. I was -- at that point in time, I
67:1 was responsible for working in our Weapons of
67:2 Mass Destruction Division, and I did have a
67:3 specific region of the country related to those
67:4 type of investigations.

67:5 Q. What was that region?

67:6 A. It was the Northeast Region of the
67:7 U.S.

69:02 - 69:08

Cox, Darren 07-15-2020 (00:00:22)

VM32.26

69:2 Q. So how did you become involved with
69:3 the task force in 2012?

69:4 A. After I completed my assignment at
69:5 FBI headquarters, I transferred back to the
69:6 Charleston and Huntington resident agencies,
69:7 and I was assigned to the Huntington Task
69:8 Force.

73:03 - 73:15

Cox, Darren 07-15-2020 (00:00:39)

VM32.27

73:3 Q. What were your responsibilities as
73:4 coordinator of the task force?

73:5 A. To oversee the daily operations of
73:6 the task force and then also to be involved in
73:7 investigations.

73:8 Q. When you say you oversaw day-to-day
73:9 activities, what does that mean?

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73:10 A. So on the task force, we had a
 73:11 number of investigative entities and it was to
 73:12 ensure that we were working investigations that
 73:13 were consistent with what the bureau's goals
 73:14 and objectives were while benefiting the states
 73:15 and locals.

86:08 - 86:20

Cox, Darren 07-15-2020 (00:00:26)

VM32.28

86:8 Q. It says: "Since 1992, this
 86:9 organization has brought a professional and
 86:10 coordinated effort in combating crime to the
 86:11 law enforcement community."
 86:12 Do you see that?

86:13 A. Yes.

86:14 Q. Does that refresh your recollection
 86:15 as to when the task force was founded?

86:16 A. Sure, yes.

86:17 Q. And so you believe the task force
 86:18 was founded in 1992?

86:19 A. I have no reason not to believe
 86:20 that.

87:16 - 87:19

Cox, Darren 07-15-2020 (00:00:07)

VM32.29

87:16 Q. And let me put it this way: Would
 87:17 there be any purpose of founding a violent
 87:18 crime and drug task force if there wasn't a
 87:19 drug problem in the city at the time?

88:02 - 88:02

Cox, Darren 07-15-2020 (00:00:02)

VM32.30

88:2 A. Not that I am aware of.

90:14 - 91:02

Cox, Darren 07-15-2020 (00:00:40)

VM32.31

90:14 What is your understanding of the
 90:15 purpose of the task force?

90:16 A. The task force in Huntington was to
 90:17 combat violent crime, gang and narcotics drug
 90:18 trafficking organizations.

90:19 Q. When you talk about drug trafficking
 90:20 organizations, you are talking about criminal
 90:21 drug trafficking organizations that are selling
 90:22 either illegal narcotics or illegally diverted
 91:1 prescription pills?

91:2 A. Yes.

91:11 - 92:07

Cox, Darren 07-15-2020 (00:00:49)

VM32.32

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91:11 Q. Okay. So when you first joined the
91:12 task force in 2012, what illegal drugs were
91:13 most prevalent in the City of Huntington?

91:14 A. I would say prescription narcotics.

91:15 Q. And that would include prescription
91:16 opioids?

91:17 A. Yes.

91:18 Q. Does it include any other
91:19 prescription narcotics that are not opioids?

91:20 A. Probably, but it was mostly opioids.

91:21 Q. When you say that "mostly opioids,"
91:22 prescription opioids is the problem, you are
92:1 talking about illegally diverted prescription
92:2 opioids, correct?

92:3 A. Yes.

92:4 Q. You are not talking about someone
92:5 who receives a prescription from their doctor
92:6 and then uses the opioids in accordance with
92:7 that prescription, right?

92:09 - 93:09

Cox, Darren 07-15-2020 (00:01:25)

VM32.33

92:9 THE WITNESS: Correct.

92:10 BY MR. PETKIS:

92:11 Q. So in 2012, illegal diverted
92:12 prescription opioids was the most prevalent
92:13 drug in the City of Huntington.

92:14 Has that changed over time?

92:15 A. Yes, in my opinion it has.

92:16 Q. How so?

92:17 A. In the beginning, as I understood
92:18 it, my view and opinion based on working it was
92:19 that prescription narcotics were the biggest
92:20 problem. They were the biggest issue, and over
92:21 a period of time, there were a number of
92:22 investigations done that helped -- or made it
93:1 harder to obtain illegal narcotics -- illegal
93:2 prescriptions and the price of the pills on the
93:3 street went up, and as the price and
93:4 availability on the street went up or became
93:5 harder to get, people switched to heroin.
93:6 Q. So at some point after 2012, heroin

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92:11 - 93:09	<p>93:7 became the most prevalent illegal drug in the 93:8 City of Huntington? 93:9 A. Yes, based on our investigations. Cox, Darren 07-15-2020 (00:01:22)</p> <p>92:11 Q. So in 2012, illegal diverted 92:12 prescription opioids was the most prevalent 92:13 drug in the City of Huntington. 92:14 Has that changed over time? 92:15 A. Yes, in my opinion it has. 92:16 Q. How so? 92:17 A. In the beginning, as I understood 92:18 it, my view and opinion based on working it was 92:19 that prescription narcotics were the biggest 92:20 problem. They were the biggest issue, and over 92:21 a period of time, there were a number of 92:22 investigations done that helped -- or made it 93:1 harder to obtain illegal narcotics -- illegal 93:2 prescriptions and the price of the pills on the 93:3 street went up, and as the price and 93:4 availability on the street went up or became 93:5 harder to get, people switched to heroin. 93:6 Q. So at some point after 2012, heroin 93:7 became the most prevalent illegal drug in the 93:8 City of Huntington? 93:9 A. Yes, based on our investigations.</p>	VM32.34
94:22 - 95:08	<p>Cox, Darren 07-15-2020 (00:00:26)</p> <p>94:22 Q. Based on your experience at the task 95:1 force, did the City of Huntington have a larger 95:2 illegal narcotics problem than other 95:3 communities in the area? 95:4 A. I think geographically that's 95:5 probably correct just because naturally, the 95:6 City of Huntington is larger than the City of 95:7 Milton or some of the other surrounding towns 95:8 in the area.</p>	VM32.35
103:09 - 103:13	<p>Cox, Darren 07-15-2020 (00:00:10)</p> <p>103:9 Q. Is it your understanding that 103:10 criminal drug trafficking organizations brought 103:11 illegal narcotics into Huntington from outside 103:12 the City of Huntington?</p>	VM32.36

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103:22 - 104:21	<p>103:13 A. Yes.</p> <p>Cox, Darren 07-15-2020 (00:01:02)</p> <p>103:22 Q. Okay. Would Detroit be one of the</p> <p>104:1 sources of illegal narcotics in the City of</p> <p>104:2 Huntington?</p> <p>104:3 A. Yes.</p> <p>104:4 Q. What about Mexico -- Mexican</p> <p>104:5 cartels, would they be a source of the illegal</p> <p>104:6 narcotics brought into the City of Huntington?</p> <p>104:7 A. I believe ultimately they would be</p> <p>104:8 the, you know, probably one of the main</p> <p>104:9 first-line suppliers of it, yes.</p> <p>104:10 Q. Are there any other cities or</p> <p>104:11 regions that you would consider a prominent</p> <p>104:12 source of illegal narcotics in the City of</p> <p>104:13 Huntington?</p> <p>104:14 A. From time to time, there were other</p> <p>104:15 sources, there were other cities, you know,</p> <p>104:16 from time to time, we would have cases that</p> <p>104:17 involved Akron, Ohio, we would have cases</p> <p>104:18 involving Atlanta, Georgia, we would have cases</p> <p>104:19 involving folks from Florida, so it kind of</p> <p>104:20 varied but Detroit would have been probably the</p> <p>104:21 most predominant.</p>	VM32.37
105:16 - 106:07	<p>Cox, Darren 07-15-2020 (00:00:36)</p> <p>105:16 Q. Are you aware of any time when</p> <p>105:17 either the Huntington Police Department or the</p> <p>105:18 Cabell County Sheriff's Office did not</p> <p>105:19 participate in the task force?</p> <p>105:20 A. I am not aware of any.</p> <p>105:21 Q. Okay. When one of these agencies</p> <p>105:22 participated in the task force, would they</p> <p>106:1 provide funding to the task force?</p> <p>106:2 A. No, they would not.</p> <p>106:3 Q. The other way around, right? The</p> <p>106:4 task force would provide funding to the</p> <p>106:5 agencies themselves?</p> <p>106:6 A. The FBI would provide overtime</p> <p>106:7 funding to the agencies.</p>	VM32.38
106:08 - 107:03	<p>Cox, Darren 07-15-2020 (00:00:53)</p>	VM32.39

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	106:8 Q. Is that the only form of funding, 106:9 overtime funding that would be provided to the 106:10 agencies? 106:11 A. Can you clarify, what do you mean by 106:12 "provided to the agencies." I'm not clear on 106:13 that. 106:14 Q. Sure. Did the FBI give any funding 106:15 to the agencies besides overtime for task force 106:16 officers? 106:17 A. No. The FBI did not. 106:18 Q. Did the FBI ever purchase equipment 106:19 to be used by the agencies? 106:20 A. The FBI would provide equipment that 106:21 would be used collectively by the task force. 106:22 Q. Would the FBI retain ownership of 107:1 that equipment in the event that the task force 107:2 ended? 107:3 A. While I was there, yes.	
123:13 - 123:21	Cox, Darren 07-15-2020 (00:00:36) 123:13 Q. What proportion of the task force 123:14 investigations were focused on opioids? 123:15 A. I would say a very large percentage 123:16 of the Task Force's efforts. 123:17 Q. What proportion of the task force 123:18 investigations were focused on prescription 123:19 opioids in your experience? 123:20 A. It varied from time to time. It 123:21 would depend what an individual group was	VM32.40
123:22 - 124:04	Cox, Darren 07-15-2020 (00:00:18) 123:22 doing. I would say that in the beginning, my 124:1 time there, it was more driven towards 124:2 prescription narcotics. Towards the end, there 124:3 was probably a bigger percentage of heroin that 124:4 we investigated.	VM32.41
124:05 - 124:12	Cox, Darren 07-15-2020 (00:00:19) 124:5 Q. You testified earlier that Detroit 124:6 was a major source of illicit drugs trafficked 124:7 into the Huntington area; is that correct? 124:8 A. To our knowledge, yes. 124:9 Q. And Detroit was also a major source	VM32.42

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126:06 - 127:16	<p>124:10 of illegally diverted prescription opioids 124:11 trafficked into the Huntington area, correct? 124:12 A. My understanding is yes.</p> <p>Cox, Darren 07-15-2020 (00:01:17)</p> <p>126:6 Q. During your time on the task force, 126:7 are you aware of any situation in which the 126:8 task force traced the source of the illegally 126:9 diverted prescription opioids back to McKesson 126:10 Corporation? 126:11 A. No, I'm not. 126:12 Q. Same question for Cardinal Health. 126:13 Are you aware of any investigation 126:14 that traced the source of illegally diverted 126:15 prescription opioids back to Cardinal Health? 126:16 A. No, I'm not. 126:17 Q. And what about AmerisourceBergen? 126:18 A. No. 126:19 Q. Okay. I think you mentioned 126:20 previously that the task force did arrest some 126:21 individuals for diverting pharmaceutical drugs; 126:22 is that correct? 127:1 A. For distributing prescription 127:2 narcotics, yes. 127:3 Q. And the assumption would be if they 127:4 are illegally distributing prescription 127:5 narcotics, then those narcotics were diverted 127:6 at some point, correct? 127:7 A. Yes. 127:8 Q. It could have been diverted either 127:9 by the person that you arrested for 127:10 distributing them or by some other criminal act 127:11 earlier in the chain, right? 127:12 A. Yes, that's correct. 127:13 Q. Okay. But it would always be a 127:14 criminal act or a criminal drug trafficking 127:15 organization that diverted the prescription 127:16 opioids, correct?</p>	VM32.43
127:20 - 127:21	<p>Cox, Darren 07-15-2020 (00:00:03)</p> <p>127:20 THE WITNESS: It would always be 127:21 someone who committed a crime, yes.</p>	VM32.44

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128:15 - 128:19	Cox, Darren 07-15-2020 (00:00:10) 128:15 Q. Based on your experience on the task 128:16 force, are you aware of any investigations that 128:17 revealed the McKesson Corporation had diverted 128:18 any prescription opioids? 128:19 A. Not to my knowledge.	VM32.45
129:01 - 129:03	Cox, Darren 07-15-2020 (00:00:05) 129:1 Q. Are you aware of any investigations 129:2 that revealed that Cardinal Health diverted any 129:3 prescription opioids?	VM32.46
129:09 - 129:09	Cox, Darren 07-15-2020 (00:00:02) 129:9 THE WITNESS: Not to my knowledge.	VM32.47
131:10 - 131:14	Cox, Darren 07-15-2020 (00:00:10) 131:10 Q. Based on your experience with the 131:11 task force and the investigations that 131:12 occurred, what is the most common way that 131:13 those individuals would have come into 131:14 possession of those illegally diverted pills?	VM32.48
132:02 - 132:11	Cox, Darren 07-15-2020 (00:00:27) 132:2 THE WITNESS: The individuals would 132:3 have come in possession of a larger quantity of 132:4 prescription medication and our investigations 132:5 would lead us to investigate the source of 132:6 supply of the larger amounts. 132:7 BY MR. PETKIS: 132:8 Q. And was the source of the supply for 132:9 the larger amounts of diverted prescription 132:10 opioids typically a criminal drug trafficking 132:11 organization?	VM32.49
132:18 - 132:21	Cox, Darren 07-15-2020 (00:00:14) 132:18 THE WITNESS: In some cases, that 132:19 would be the case. In other cases, we would 132:20 hear or learn information that they received 132:21 the drugs from a pharmacist or from a doctor.	VM32.50
133:17 - 133:18	Cox, Darren 07-15-2020 (00:00:03) 133:17 MR. PETKIS: I'm going to mark 133:18 Exhibit 32.	VM32.51
133:22 - 135:01	Cox, Darren 07-15-2020 (00:00:58) 133:22 Q. Special Agent Cox, have you seen 134:1 this document before?	VM32.52

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134:2	A. I have -- I may have seen the press	
134:3	release back in 2014, but I don't recall.	
134:4	Q. But it does appear to be an e-mail	
134:5	of a press release. You are listed on the "to"	
134:6	line, correct?	
134:7	A. Yes, I see that, yes.	
134:8	Q. And the title of this particular	
134:9	press release from the U.S. Attorney for the	
134:10	Southern District of West Virginia is: "Heroin	
134:11	and Pill Dealer Sentenced in Huntington Federal	
134:12	Court;" is that correct?	
134:13	A. Yes, that's correct.	
134:14	Q. The second sentence of this	
134:15	particular press release reads: "Chief Judge	
134:16	Robert C. Chambers imposed a sentence of 87	
134:17	months for Golson's role in a drug conspiracy	
134:18	that included transporting heroin and oxycodone	
134:19	from Detroit, Michigan, for sale in	
134:20	Huntington;" is that correct?	
134:21	A. Yes.	
134:22	Q. This is an example of illegal	
135:1	diversion of prescription opioids, correct?	
135:06 - 135:06	Cox, Darren 07-15-2020 (00:00:01)	VM32.53
	135:6 THE WITNESS: Yes.	
135:08 - 135:20	Cox, Darren 07-15-2020 (00:00:28)	VM32.54
	135:8 Q. In the second paragraph, there is a	
	135:9 reference to the task force and the second to	
	135:10 last sentence reads: "Golson told agents that	
	135:11 from January of 2010 to April of 2013, he	
	135:12 received regular deliveries of heroin and	
	135:13 oxycodone pills from Detroit that he sold in	
	135:14 Huntington."	
	135:15 Did I read that correctly?	
	135:16 A. Yes.	
	135:17 Q. So is it your understanding that in	
	135:18 this particular situation, the source of the	
	135:19 illegally diverted opioid pills was a criminal	
	135:20 drug trafficking organization in Detroit?	
135:22 - 136:05	Cox, Darren 07-15-2020 (00:00:11)	VM32.55
	135:22 THE WITNESS: Yes.	

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	136:1 BY MR. PETKIS:	
	136:2 Q. And that particular criminal drug	
	136:3 trafficking organization was also illegally	
	136:4 trafficking heroin into Huntington at the same	
	136:5 exact time; is that right?	
136:13 - 136:13	Cox, Darren 07-15-2020 (00:00:01)	VM32.56
	136:13 THE WITNESS: Yes.	
161:10 - 161:21	Cox, Darren 07-15-2020 (00:00:29)	VM32.57
	161:10 From your experience and based on	
	161:11 your involvement with the task force, has there	
	161:12 ever been a time when the abuse of illegal	
	161:13 drugs was not a problem in the City of	
	161:14 Huntington?	
	161:15 A. Not during my assignment there.	
	161:16 Q. And in your experience and based on	
	161:17 your involvement with the task force, has there	
	161:18 ever been a time when the abuse of illegal	
	161:19 drugs was not a problem in Cabell County?	
	161:20 A. Not during my assignment on the task	
	161:21 force.	
162:07 - 162:11	Cox, Darren 07-15-2020 (00:00:12)	VM32.58
	162:7 Q. Is it your understanding, based on	
	162:8 your involvement with the FBI Task Force, that	
	162:9 illegal drug use and abuse had been a	
	162:10 long-standing problem in the City of Huntington	
	162:11 prior to your joining in 2012?	
162:13 - 162:13	Cox, Darren 07-15-2020 (00:00:01)	VM32.59
	162:13 THE WITNESS: Yes.	
162:15 - 163:01	Cox, Darren 07-15-2020 (00:00:21)	VM32.60
	162:15 Q. Same question for Cabell County. Is	
	162:16 it your understanding that there had been a	
	162:17 long-standing illegal drug problem in Cabell	
	162:18 County prior to you joining in 2012?	
	162:19 A. Yes.	
	162:20 Q. It's your understanding that illegal	
	162:21 drugs are trafficked into Cabell County and the	
	162:22 City of Huntington by criminal drug trafficking	
	163:1 organizations, correct?	
163:08 - 163:08	Cox, Darren 07-15-2020 (00:00:02)	VM32.61
	163:8 A. Yes.	

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163:18 - 163:22	Cox, Darren 07-15-2020 (00:00:14) 163:18 Q. And those illegal drugs that are 163:19 trafficked into the City of Huntington and 163:20 Cabell County are then sold to end users by 163:21 criminal drug dealers, correct? 163:22 A. Yes.	VM32.62
164:07 - 164:12	Cox, Darren 07-15-2020 (00:00:13) 164:7 Q. Sure. Based on your understanding 164:8 and your experience with the task force, the 164:9 licensed pharmaceutical distributors who are 164:10 defendants in this case do not distribute any 164:11 illegal drugs, correct? 164:12 A. Not to my knowledge.	VM32.63
167:08 - 167:11	Cox, Darren 07-15-2020 (00:00:05) 167:8 Q. Sure. Would you agree that 167:9 defendants are not responsible for any of the 167:10 illegal drugs that have been trafficked into 167:11 Cabell County?	VM32.64
167:14 - 167:19	Cox, Darren 07-15-2020 (00:00:25) 167:14 THE WITNESS: So my opinion is, you 167:15 know, it's a very complex question and it's a 167:16 very complex issue and so to say that it's -- 167:17 they bear no responsibility, at some point in 167:18 time, a large volume of narcotics has increased 167:19 year after year in our area. I don't know who	VM32.65
167:20 - 168:22	Cox, Darren 07-15-2020 (00:01:20) 167:20 makes them. I don't know where they come from, 167:21 but basic common sense to me as a business 167:22 person understands that on a business aspect, 168:1 you have an organization that is seeing 168:2 astronomical amount of sales increase, whether 168:3 that's heroin, whether that's pills, whatever 168:4 it is, and what organization it is, and so to 168:5 say that nobody bears a responsibility for it, 168:6 somebody somewhere bears a responsibility that 168:7 at some point in time, whether it's the end 168:8 user, whether it's a local level dealer, 168:9 whether it's a doctor or a pharmacist or a 168:10 maker of narcotics, that it has increased year 168:11 after year and at some level in the City of	VM32.66

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	<p>168:12 Huntington, Cabell County, the United States, 168:13 we don't have an astronomical increase from 168:14 year to year of people experiencing pain, so, 168:15 therefore, at some level, not -- far, far, 168:16 above my pay grade, but at some level, somebody 168:17 bears some responsibility for it and to say 168:18 that the first maker of the product bears no 168:19 responsibility for it, I can't answer that and 168:20 affirm to you whether they do or not, but 168:21 that's my stance on it and my understanding of 168:22 the problem.</p>	
170:07 - 171:03	<p>Cox, Darren 07-15-2020 (00:00:51)</p> <p>170:7 Q. Okay. We talked about this a little 170:8 bit previously, but would you agree that the 170:9 popularity and availability of illegal drugs 170:10 can change over time? 170:11 A. Yes. 170:12 Q. So for instance, a drug that was 170:13 very popular in the '80s might not be so 170:14 popular in the '90s, but then might make a 170:15 resurgence in the 2000s, right? 170:16 A. Yes. 170:17 Q. And as the popularity and 170:18 availability of a specific illegal drug 170:19 changes, the threats posed by that illegal drug 170:20 can also change; is that right? 170:21 A. Yes. 170:22 Q. And so the threats posed by specific 171:1 illegal drugs can ebb and flow over time as 171:2 well, right? 171:3 A. Yes.</p>	VM32.67
171:06 - 171:10	<p>Cox, Darren 07-15-2020 (00:00:17)</p> <p>171:6 What are the factors that determine 171:7 whether a specific illegal drug will be popular 171:8 or highly accessible at any given moment? 171:9 A. I think part of it is the supply, 171:10 the cost and the availability.</p>	VM32.68
172:07 - 172:10	<p>Cox, Darren 07-15-2020 (00:00:06)</p> <p>172:7 Q. Okay. How does the popularity and 172:8 accessibility of a particular illegal drug</p>	VM32.69

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172:14 - 173:05	<p>172:9 relate to the threats posed by that illegal 172:10 drug?</p> <p>Cox, Darren 07-15-2020 (00:00:45)</p> <p>172:14 THE WITNESS: So I would use 172:15 marijuana as an example, not my -- not an 172:16 official FBI stance but I would use marijuana 172:17 for example. 172:18 Marijuana is in higher supply now or 172:19 appears to be in higher supply now, but people 172:20 that smoke marijuana don't necessarily show the 172:21 propensity for violence and the death rate and 172:22 other violent acts as what other drugs that may 173:1 not be as available for. They may be at 173:2 cheaper cost and so there is a variety of drugs 173:3 out there that may be a high number but they 173:4 may not have the same risk factors just because 173:5 it's in a higher number.</p>	VM32.70
174:01 - 174:04	<p>Cox, Darren 07-15-2020 (00:00:08)</p> <p>174:1 Q. Okay. So you did testify that price 174:2 played a role in the popularity of a specific 174:3 illegal drug, right? 174:4 A. Yes.</p>	VM32.71
175:17 - 175:22	<p>Cox, Darren 07-15-2020 (00:00:14)</p> <p>175:17 Q. So in that sense, as price decreases 175:18 and supply increases, the threat for a 175:19 particular illegal drug will be higher, 175:20 correct? 175:21 A. The amount of usage would be higher, 175:22 yes.</p>	VM32.72
176:19 - 176:20	<p>Cox, Darren 07-15-2020 (00:00:15)</p> <p>176:19 Q. Criminal actors set the prices for 176:20 illegal drugs like heroin, correct?</p>	VM32.73
177:01 - 177:02	<p>Cox, Darren 07-15-2020 (00:00:05)</p> <p>177:1 THE WITNESS: Yes, to some degree 177:2 it's the seller and the user.</p>	VM32.74
177:04 - 177:07	<p>Cox, Darren 07-15-2020 (00:00:09)</p> <p>177:4 Q. Okay. But government-licensed 177:5 distributors of legal narcotics do not set the 177:6 price in the market for illegal drugs like 177:7 heroin, right?</p>	VM32.75

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177:11 - 177:17	Cox, Darren 07-15-2020 (00:00:30) 177:11 THE WITNESS: Not per se. What I 177:12 mean by that is that -- what we saw in the time 177:13 that I was on the task force, when prescription 177:14 medication becomes harder and harder to obtain, 177:15 then the price of prescription narcotics goes 177:16 up and the cost of heroin then goes down, and 177:17 so that is the way I view that.	VM32.76
177:19 - 178:07	Cox, Darren 07-15-2020 (00:00:24) 177:19 Q. Okay. But the licensed distributor 177:20 of legal narcotics doesn't tell a criminal drug 177:21 trafficking organization or an individual drug 177:22 dealer how much to sell their heroin for, 178:1 right? 178:2 A. Correct. 178:3 Q. The criminal drug trafficking 178:4 organization or the individual dealer, they 178:5 make the decision how much to sell their heroin 178:6 for, right? 178:7 A. Yes.	VM32.77
179:01 - 179:08	Cox, Darren 07-15-2020 (00:00:23) 179:1 Q. But accessibility and supply play a 179:2 role in determining the level of usage of a 179:3 particular illegal drug, right? 179:4 A. Yes. 179:5 Q. And it's criminal drug trafficking 179:6 organizations and criminal drug dealers that 179:7 determine the availability and supply of 179:8 illegal drugs in the City of Huntington, right?	VM32.78
179:12 - 179:12	Cox, Darren 07-15-2020 (00:00:02) 179:12 THE WITNESS: Yes, to some degree.	VM32.79
179:14 - 179:17	Cox, Darren 07-15-2020 (00:00:10) 179:14 Q. And licensed distributors of illegal 179:15 narcotics don't tell criminal drug trafficking 179:16 organizations or drug dealers how much of a 179:17 particular drug -- illegal drug to sell, right?	VM32.80
179:22 - 179:22	Cox, Darren 07-15-2020 (00:00:01) 179:22 THE WITNESS: That's correct.	VM32.81
180:02 - 180:05	Cox, Darren 07-15-2020 (00:00:06) 180:2 Q. The criminal drug trafficking	VM32.82

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180:09 - 180:09	180:3 organization or drug dealer, they alone make 180:4 the decision of how much a particular illegal 180:5 drug to sell, right? Cox, Darren 07-15-2020 (00:00:02)	VM32.83
186:01 - 186:05	180:9 THE WITNESS: Yes. Yes. Cox, Darren 07-15-2020 (00:00:15) 186:1 Q. Is there anything unique about the 186:2 City of Huntington or Cabell County that makes 186:3 it particularly susceptible to illegal drug 186:4 use? 186:5 A. Not to my knowledge.	VM32.84
186:06 - 186:08	Cox, Darren 07-15-2020 (00:00:06) 186:6 Q. Okay. I'm going to mark two 186:7 exhibits at the same time, 46 and 47, if you 186:8 want to pull those out.	VM32.85
187:06 - 187:08	Cox, Darren 07-15-2020 (00:00:08) 187:6 Q. Who is Greg Moore? 187:7 A. Greg Moore was a member of the task 187:8 force from Huntington Police Department.	VM32.86
188:10 - 188:15	Cox, Darren 07-15-2020 (00:00:21) 188:10 Q. All right. Let's look at the next 188:11 exhibit. This is 47. 188:12 This document is titled: "FBI 188:13 Huntington Violence Crime Drug Task Force, 188:14 Huntington Interdiction Team, OCDETF Funding 188:15 Proposal," and it's dated January 27, 2015.	VM32.87
188:22 - 189:05	Cox, Darren 07-15-2020 (00:00:20) 188:22 Q. What is this document? 189:1 A. This is a document that was prepared 189:2 by myself with the assistance of some other 189:3 folks from the task force in order to get a 189:4 fund -- request funding for interdiction 189:5 program that we had in Huntington.	VM32.88
194:17 - 196:05	Cox, Darren 07-15-2020 (00:01:09) 194:17 Q. Okay. We are going to skip a 194:18 sentence, but the third sentence in this 194:19 paragraph states: "Huntington is the largest 194:20 city in the region and located approximately 194:21 300 miles south of Detroit, Michigan. It is 194:22 frequently referred to as 'Little Detroit' due	VM32.89

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	195:1 to the large population of former Detroit-based 195:2 heroin traffickers." 195:3 Did I read that correctly? 195:4 A. Yes. 195:5 Q. Have you ever heard of Huntington 195:6 referred to as "Little Detroit?" 195:7 A. Yes. 195:8 Q. Huntington was given that nickname 195:9 due to the large population of heroin 195:10 traffickers from Detroit? 195:11 A. Yes. 195:12 Q. The very next sentence reads: 195:13 "Huntington is a destination city known and 195:14 utilized by Detroit violent gang members and 195:15 narcotic traffickers to establish heroin 195:16 distribution points in other parts of the 195:17 tri-state region. The Huntington area is a 195:18 well-known regional distribution hub for the 195:19 entire tri-state region for illegal drugs, 195:20 which has resulted in a deterioration of the 195:21 area with increased slum and blighting 195:22 conditions." 196:1 Did I read that correctly? 196:2 A. Yes. 196:3 Q. In your experience, is the City of 196:4 Huntington a destination city for violent gang 196:5 members and narcotics traffickers from Detroit?	
196:07 - 196:07	Cox, Darren 07-15-2020 (00:00:01)	VM32.90
	196:7 THE WITNESS: Yes.	
196:09 - 196:11	Cox, Darren 07-15-2020 (00:00:10)	VM32.91
	196:9 Q. Why is that the case? 196:10 A. There is a demand for illegal drugs 196:11 in Huntington.	
214:18 - 214:21	Cox, Darren 07-15-2020 (00:00:08)	VM32.92
	214:18 Based on your experience with the 214:19 task force, are you aware of any years in which 214:20 marijuana was not being illegally sold and 214:21 abused in the City of Huntington?	
215:02 - 215:02	Cox, Darren 07-15-2020 (00:00:01)	VM32.93
	215:2 THE WITNESS: No.	

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225:06 - 225:10	Cox, Darren 07-15-2020 (00:00:08) 225:6 Q. Based on your experience with law 225:7 enforcement and the task force, are there any 225:8 years you are aware of where cocaine and crack 225:9 cocaine was not being illegally sold and abused 225:10 in the City of Huntington?	VM32.94
225:12 - 225:12	Cox, Darren 07-15-2020 (00:00:03) 225:12 THE WITNESS: Not to my knowledge.	VM32.95
227:02 - 227:05	Cox, Darren 07-15-2020 (00:00:06) 227:2 Q. What about based on your personal 227:3 experience growing up in West Virginia, are you 227:4 aware of heroin use in the State of West 227:5 Virginia prior to 2012?	VM32.96
227:07 - 227:11	Cox, Darren 07-15-2020 (00:00:13) 227:7 THE WITNESS: You know, heroin was 227:8 something that I rarely heard of growing up in 227:9 West Virginia. Prior to my law enforcement 227:10 experience, it was -- heroin was not very 227:11 prevalent.	VM32.97
229:13 - 229:22	Cox, Darren 07-15-2020 (00:00:33) 229:13 Q. Based on your experience with the 229:14 task force, are all of these different types of 229:15 heroin listed here, black tar, brown and 229:16 Mexican, illegally sold and abused in the City 229:17 of Huntington and Cabell County? 229:18 A. You know, I am trying to recall if 229:19 we had any black tar heroin. I think that we 229:20 did, but it would have been very small amounts. 229:21 If we had it during my time, it would be very 229:22 small amounts.	VM32.98
230:01 - 230:07	Cox, Darren 07-15-2020 (00:00:14) 230:1 Q. Okay. To the best of your 230:2 knowledge, to the extent these different types 230:3 of heroin are present in the City of Huntington 230:4 or Cabell County, is it your understanding that 230:5 they were illegally trafficked by criminal drug 230:6 trafficking organizations? 230:7 A. Yes.	VM32.99
231:04 - 231:18	Cox, Darren 07-15-2020 (00:00:44) 231:4 Q. Has Xanax ever been a threat to the	VM32.100

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	231:5 City of Huntington or Cabell County?	
	231:6 A. Yes. It's used. It's an illegal	
	231:7 drug that is used in the City of Huntington	
	231:8 from my understanding.	
	231:9 Q. When you say "it's an illegal drug,"	
	231:10 you mean it's a prescription drug that is	
	231:11 illegally diverted, correct?	
	231:12 A. Yes.	
	231:13 Q. Based on your knowledge and	
	231:14 understanding and participation in the task	
	231:15 force, are there any years in which Xanax was	
	231:16 not being illegally diverted in the City of	
	231:17 Huntington and Cabell County?	
	231:18 A. Not to my knowledge.	
233:10 - 233:12	Cox, Darren 07-15-2020 (00:00:05)	VM32.101
	233:10 Q. Why did the task force track these	
	233:11 three different line items for methamphetamine	
	233:12 only?	
233:14 - 235:04	Cox, Darren 07-15-2020 (00:01:52)	VM32.102
	233:14 THE WITNESS: My understanding was	
	233:15 that methamphetamine use had been more	
	233:16 prevalent at one point in time, and the	
	233:17 manufacture and individual labs within the area	
	233:18 had been more prevalent prior to me getting on	
	233:19 the task force and that's why these boxes would	
	233:20 have been there to track that.	
	233:21 BY MR. PETKIS:	
	233:22 Q. When you say that "there is a point	
	234:1 in time where it was more prevalent," what are	
	234:2 you referring to?	
	234:3 A. At some point in time, I would --	
	234:4 probably before I was on the task force, there	
	234:5 was -- it was more prevalent that people would	
	234:6 make methamphetamine. They would use different	
	234:7 types of methods to make methamphetamine at	
	234:8 their house or other places rather than	
	234:9 importing it in from outside the state.	
	234:10 Q. Was there a point in time where	
	234:11 there was a switch and imported methamphetamine	
	234:12 became more prevalent than single use or	

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	234:13 homemade methamphetamine?	
	234:14 A. Yes.	
	234:15 Q. And when did that occur?	
	234:16 A. I don't know exactly. Probably	
	234:17 sometime prior to 2012. The use of meth --	
	234:18 methamphetamine imported in was not very high	
	234:19 and the production of it was basically the only	
	234:20 method, almost the only method in the area.	
	234:21 Q. But at some point, the importation	
	234:22 of methamphetamine by criminal drug trafficking	
	235:1 organizations increased; is that right?	
	235:2 A. Yes.	
	235:3 Q. What is your understanding of the	
	235:4 source of that imported methamphetamine?	
235:06 - 235:07	Cox, Darren 07-15-2020 (00:00:05)	VM32.103
	235:6 THE WITNESS: It would be coming	
	235:7 from Mexico predominantly.	
235:09 - 235:16	Cox, Darren 07-15-2020 (00:00:20)	VM32.104
	235:9 Q. When that shift occurred and	
	235:10 imported Mexican methamphetamine became more	
	235:11 common, did the threat posed by methamphetamine	
	235:12 in the City of Huntington and Cabell County	
	235:13 increase or decrease?	
	235:14 A. I wasn't on the task force when that	
	235:15 happened, so I don't know the current state of	
	235:16 methamphetamine used in Huntington.	
236:18 - 236:22	Cox, Darren 07-15-2020 (00:00:10)	VM32.105
	236:18 Q. Are you aware, based on your	
	236:19 experience and participation in the task force,	
	236:20 of any years where methamphetamine was not	
	236:21 being illegally sold and abused in the City of	
	236:22 Huntington?	
237:02 - 237:02	Cox, Darren 07-15-2020 (00:00:02)	VM32.106
	237:2 THE WITNESS: I'm not.	
242:03 - 243:08	Cox, Darren 07-15-2020 (00:01:13)	VM32.107
	242:3 Q. And you testified that the task	
	242:4 force did have a number of law enforcement	
	242:5 interactions with people who were involved in	
	242:6 illegal diversion of prescription opioids,	
	242:7 correct?	

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242:8	A. Yes.	
242:9	Q. You also testified that to the best	
242:10	of the Task Force's ability, it would make an	
242:11	attempt to trace the source of those illegally	
242:12	diverted prescription opioids, correct?	
242:13	A. Yes.	
242:14	Q. And I believe you also testified	
242:15	that in the majority of cases, the source of	
242:16	the illegally diverted prescription opioids was	
242:17	criminal drug trafficking organizations from	
242:18	outside the City of Huntington, right?	
242:19	A. Yes.	
242:20	Q. Do you know what proportion of those	
242:21	illegally diverted prescription opioids	
242:22	involved in the interactions you are describing	
243:1	came from a pharmacy within the City of	
243:2	Huntington?	
243:3	A. I do not.	
243:4	Q. Do you know what proportion of those	
243:5	illegally diverted prescription opioids came	
243:6	from a doctor in the City of Huntington who was	
243:7	prescribing without a legitimate medical	
243:8	purpose?	
243:10 - 243:10	Cox, Darren 07-15-2020 (00:00:02)	VM32.108
	243:10 THE WITNESS: I do not.	
243:12 - 243:16	Cox, Darren 07-15-2020 (00:00:10)	VM32.109
	243:12 Q. Do you have any knowledge of what	
	243:13 portion of those illegally diverted	
	243:14 prescription opioids were shared between family	
	243:15 members or stolen from a medicine cabinet in	
	243:16 the City of Huntington?	
243:18 - 243:18	Cox, Darren 07-15-2020 (00:00:02)	VM32.110
	243:18 THE WITNESS: I do not.	
245:09 - 245:18	Cox, Darren 07-15-2020 (00:00:32)	VM32.111
	245:9 Q. Based on your law enforcement	
	245:10 experience and participation in the task force,	
	245:11 what kinds of opioids were involved in the	
	245:12 opioid epidemic or opioid crisis in the City of	
	245:13 Huntington?	
	245:14 A. I think initially, it was	

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247:01 - 247:02	<p>245:15 prescription drug pills and when I think of the</p> <p>245:16 crisis, I -- that's what I think of. And then</p> <p>245:17 I think of -- now turn to heroin, but I think</p> <p>245:18 initially, it was prescription narcotics.</p> <p>Cox, Darren 07-15-2020 (00:00:04)</p>	VM32.112
247:07 - 247:11	<p>247:1 Q. Do you believe that the City of</p> <p>247:2 Huntington is facing an opioid crisis today?</p> <p>Cox, Darren 07-15-2020 (00:00:15)</p> <p>247:7 THE WITNESS: I don't really have a</p> <p>247:8 basis. I'm not in Huntington. I haven't been</p> <p>247:9 there for a while but certainly, what I read in</p> <p>247:10 the newspaper, I would think that they still</p> <p>247:11 do, just -- yes. The effects of it.</p>	VM32.113
247:13 - 247:19	<p>Cox, Darren 07-15-2020 (00:00:20)</p> <p>247:13 Q. When you referenced things that</p> <p>247:14 you've read in the newspaper, what are you</p> <p>247:15 referring to?</p> <p>247:16 A. Just about arrests, things that --</p> <p>247:17 about arrests related to drug abuse, drug</p> <p>247:18 investigations, theft, child abuse. Things</p> <p>247:19 that ultimately have a drug connection to them.</p>	VM32.114
247:20 - 248:02	<p>Cox, Darren 07-15-2020 (00:00:10)</p> <p>247:20 Q. I believe you testified previously</p> <p>247:21 that as between prescription opioids and</p> <p>247:22 illegal opioids like heroin and fentanyl, the</p> <p>248:1 illegal opioids are more prevalent at this</p> <p>248:2 time; is that right?</p>	VM32.115
248:04 - 248:15	<p>Cox, Darren 07-15-2020 (00:00:28)</p> <p>248:4 THE WITNESS: I believe they became</p> <p>248:5 more prevalent after the prescription pills,</p> <p>248:6 yes.</p> <p>248:7 BY MR. PETKIS:</p> <p>248:8 Q. And that was -- that happened during</p> <p>248:9 the time that you were assigned to the task</p> <p>248:10 force, right?</p> <p>248:11 A. Yes. They started becoming more</p> <p>248:12 prevalent as -- towards the end of my tenure on</p> <p>248:13 the task force.</p> <p>248:14 Q. To the best of your knowledge, has</p> <p>248:15 that trend continued?</p>	VM32.116

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248:20 - 248:20	Cox, Darren 07-15-2020 (00:00:01)	VM32.117
	248:20 THE WITNESS: Yes.	
249:01 - 249:05	Cox, Darren 07-15-2020 (00:00:15)	VM32.118
	249:1 Based on -- based on your law	
	249:2 enforcement experience and participation in the	
	249:3 task force, what portion of the opioid crisis	
	249:4 or opioid epidemic from 2012 to 2015, do you	
	249:5 attribute to prescription opioids?	
249:11 - 249:18	Cox, Darren 07-15-2020 (00:00:28)	VM32.119
	249:11 THE WITNESS: I believe that the	
	249:12 prescription medication played a significant	
	249:13 role in the opioid epidemic, and I believe that	
	249:14 after individuals were on prescription	
	249:15 medication, prescription medication became	
	249:16 higher -- started being worked more by law	
	249:17 enforcement, drove the price up and the supply	
	249:18 down, people transitioned to heroin.	
249:20 - 250:04	Cox, Darren 07-15-2020 (00:00:18)	VM32.120
	249:20 Q. What is the basis for your	
	249:21 understanding that people may have transitioned	
	249:22 from prescription opioid use to heroin use?	
	250:1 A. Conversations with individuals that	
	250:2 we arrested, conversations with individuals	
	250:3 that we talked to within the community and the	
	250:4 drug culture.	
250:05 - 250:07	Cox, Darren 07-15-2020 (00:00:10)	VM32.121
	250:5 Q. Does the task force, to the best of	
	250:6 your knowledge, keep any data on what drug	
	250:7 someone started with after they're arrested?	
250:09 - 250:15	Cox, Darren 07-15-2020 (00:00:16)	VM32.122
	250:9 THE WITNESS: No, not to my	
	250:10 knowledge.	
	250:11 BY MR. PETKIS:	
	250:12 Q. What proportion of the individuals	
	250:13 who you believe abused prescription opioids	
	250:14 prior to using heroin, had a valid prescription	
	250:15 for those prescription opioids?	
250:17 - 250:17	Cox, Darren 07-15-2020 (00:00:02)	VM32.123
	250:17 THE WITNESS: I don't know.	
251:22 - 252:09	Cox, Darren 07-15-2020 (00:00:25)	VM32.124

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251:22 Q. But you don't know how many of those
 252:1 people who transitioned had an actual valid
 252:2 prescription for prescription opioids, right?

252:3 A. I do not.

252:4 Q. And you don't know how many of those
 252:5 people who may have transitioned from
 252:6 prescription opioids to illegal opioids like
 252:7 heroin were using illegally diverted
 252:8 prescription opioids?

252:9 A. I do not.

252:18 - 255:10

Cox, Darren 07-15-2020 (00:02:25)

VM32.125

252:18 Q. Have you ever interviewed anyone who
 252:19 started with another illegal drug and then
 252:20 began using heroin?

252:21 A. Yes.

252:22 Q. So you referenced some interviews
 253:1 that you had with people who began with
 253:2 prescription opioids and transitioned to
 253:3 heroin.

253:4 Do you remember that?

253:5 A. Yes.

253:6 Q. How many times has that occurred?

253:7 A. I can't put a number on it. More
 253:8 than once.

253:9 Q. Do you recall any of the specific
 253:10 interviews where someone mentioned that they
 253:11 began with prescription opioids and then
 253:12 transitioned to heroin?

253:13 A. I don't. It would be a -- during
 253:14 the course of our investigations and
 253:15 interviews, we talked to a lot of people and we
 253:16 would ask, I would frequently ask, how did you
 253:17 get on this, what happened, what kind of --
 253:18 what your story is, and so I have talked to a
 253:19 number of people that used pills and
 253:20 transitioned from pills to heroin.

253:21 Q. Sitting here today, you can't
 253:22 remember any specific stories along those
 254:1 lines?

254:2 MR. PENDELL: Objection.

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254:3 THE WITNESS: What are you wanting
 254:4 as far as a story, like, specifically.
 254:5 BY MR. PETKIS:
 254:6 Q. Well, you are referencing a number
 254:7 of interviews that you had with people who
 254:8 transitioned from heroin -- I'm sorry, from
 254:9 prescription opioids to heroin, right?
 254:10 A. Yes.
 254:11 Q. Are you thinking of anyone in
 254:12 particular? Do you have any specific
 254:13 recollection of those conversations?
 254:14 A. I do. I remember one. I don't know
 254:15 their names but I do remember one couple that
 254:16 we interviewed in Huntington who -- and when I
 254:17 say "interviewed," we talked to them during a
 254:18 -- during an interdiction or arrest type of
 254:19 activity, talked to them about how they got on
 254:20 heroin.
 254:21 And I remember husband and wife and
 254:22 they said that initially, heroin was, like,
 255:1 scared the daylights out of them. That they
 255:2 never thought in a million years that they
 255:3 would use heroin because they had to stick a
 255:4 needle in their arm, but the addiction of the
 255:5 pills was something that drove them to do it,
 255:6 and the supply of pills, the cost of pills,
 255:7 that heroin was much cheaper and that
 255:8 eventually, they decided that they could
 255:9 apparently get around the use of a needle and
 255:10 they transitioned to heroin.

255:11 - 255:15 **Cox, Darren 07-15-2020 (00:00:11)**

VM32.126

255:11 Q. This particular story you are
 255:12 referencing, did you ask those people whether
 255:13 or not they had a valid prescription for
 255:14 prescription opioids or whether they were using
 255:15 illegally diverted prescription opioids?

255:17 - 255:22 **Cox, Darren 07-15-2020 (00:00:08)**

VM32.127

255:17 THE WITNESS: No, I did not.
 255:18 BY MR. PETKIS:
 255:19 Q. Do you have an understanding of

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256:02 - 256:09	<p>255:20 whether they had a valid prescription or</p> <p>255:21 whether or not they were using illegally</p> <p>255:22 diverted prescription opioids?</p> <p>Cox, Darren 07-15-2020 (00:00:15)</p> <p>256:2 THE WITNESS: No, I do not.</p> <p>256:3 BY MR. PETKIS:</p> <p>256:4 Q. Can you recall any interviews where</p> <p>256:5 you did ask that question of whether someone</p> <p>256:6 had a valid prescription or whether or not they</p> <p>256:7 were using illegally diverted prescription</p> <p>256:8 opioids?</p> <p>256:9 A. No, I can't.</p>	VM32.128
258:02 - 258:06	<p>Cox, Darren 07-15-2020 (00:00:11)</p> <p>258:2 Q. So is it fair to say then that the</p> <p>258:3 vast majority, if not all of the people the</p> <p>258:4 task force arrested with prescription opioids</p> <p>258:5 had possession of illegally diverted</p> <p>258:6 prescription opioids?</p>	VM32.129
258:08 - 258:12	<p>Cox, Darren 07-15-2020 (00:00:06)</p> <p>258:8 THE WITNESS: Yes.</p> <p>258:9 BY MR. PETKIS:</p> <p>258:10 Q. So those people would have received</p> <p>258:11 their prescription opioid pills from a criminal</p> <p>258:12 drug dealer, right?</p>	VM32.130
258:14 - 259:08	<p>Cox, Darren 07-15-2020 (00:00:37)</p> <p>258:14 THE WITNESS: The majority, yes.</p> <p>258:15 There were cases that we would have where</p> <p>258:16 individuals would have a legitimate</p> <p>258:17 prescription and then they would sell those and</p> <p>258:18 if we were buying pills off of them that they</p> <p>258:19 had a legitimate prescription for, we would</p> <p>258:20 arrest that person even though they had a</p> <p>258:21 legitimate prescription for that but those</p> <p>258:22 cases were less frequent.</p> <p>259:1 BY MR. PETKIS:</p> <p>259:2 Q. And you would arrest those people</p> <p>259:3 because selling prescription opioids, even if</p> <p>259:4 you have a valid prescription is criminal,</p> <p>259:5 correct?</p> <p>259:6 A. Yes.</p>	VM32.131

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	259:7 Q. It's a form of diversion?	
	259:8 A. Yes.	
293:12 - 293:15	Cox, Darren 07-15-2020 (00:00:08)	VM32.132
	293:12 Q. In your experience with the task	
	293:13 force, did the task force interact at all with	
	293:14 the West Virginia Board of Medicine as part of	
	293:15 its diversion investigations?	
293:21 - 294:01	Cox, Darren 07-15-2020 (00:00:09)	VM32.133
	293:21 THE WITNESS: I can't say that we	
	293:22 never interacted with them, but that was -- we	
	294:1 rarely, if at all, interacted with them.	
294:03 - 294:11	Cox, Darren 07-15-2020 (00:00:20)	VM32.134
	294:3 Q. Okay. So sitting here today, you	
	294:4 can't specifically recall any instances where	
	294:5 the task force interacted with the West	
	294:6 Virginia Board of Medicine on a diversion	
	294:7 investigation?	
	294:8 A. Not in our investigations.	
	294:9 Q. Okay. Did the task force interact	
	294:10 at all with the West Virginia Board of Pharmacy	
	294:11 on any diversion investigation?	
294:16 - 294:16	Cox, Darren 07-15-2020 (00:00:03)	VM32.135
	294:16 THE WITNESS: Generally, no.	
294:18 - 294:21	Cox, Darren 07-15-2020 (00:00:07)	VM32.136
	294:18 Q. And sitting here today, you can't	
	294:19 remember any specific investigations where the	
	294:20 task force worked with the West Virginia Board	
	294:21 of Pharmacy on diversion investigations?	
295:02 - 295:02	Cox, Darren 07-15-2020 (00:00:01)	VM32.137
	295:2 THE WITNESS: No.	
297:22 - 298:02	Cox, Darren 07-15-2020 (00:00:07)	VM32.138
	297:22 Q. For instance, the task force would	
	298:1 not investigate a doctor who was writing	
	298:2 legitimate prescriptions, correct?	
298:04 - 298:05	Cox, Darren 07-15-2020 (00:00:04)	VM32.139
	298:4 THE WITNESS: Correct. That was not	
	298:5 within our investigative additive.	
298:07 - 298:14	Cox, Darren 07-15-2020 (00:00:19)	VM32.140
	298:7 Q. Based on your experience with the	
	298:8 task force, are you familiar with something	

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	298:9 called an ARCOS database?	
	298:10 A. I am not.	
	298:11 Q. Based on your experience with the	
	298:12 task force, you are not aware of any situation	
	298:13 where the task force made use of the ARCOS	
	298:14 database as part of a diversion investigation?	
298:19 - 298:19	Cox, Darren 07-15-2020 (00:00:02)	VM32.141
	298:19 THE WITNESS: I'm not.	
298:21 - 299:08	Cox, Darren 07-15-2020 (00:00:27)	VM32.142
	298:21 Q. Based on your experience with the	
	298:22 task force, are you familiar with the West	
	299:1 Virginia Board of Pharmacy controlled substance	
	299:2 monitoring program, also sometimes called CSAP?	
	299:3 A. No.	
	299:4 Q. Based on that answer, I'm going to	
	299:5 assume based on your involvement with the task	
	299:6 force, you are not aware of the task force ever	
	299:7 using CSAP as part of a diversion	
	299:8 investigation?	
299:10 - 299:13	Cox, Darren 07-15-2020 (00:00:09)	VM32.143
	299:10 THE WITNESS: The FBI did not run	
	299:11 diversion investigations on doctors or	
	299:12 pharmacies. That was done by someone else	
	299:13 outside the task force.	
299:15 - 299:16	Cox, Darren 07-15-2020 (00:00:03)	VM32.144
	299:15 Q. Who outside the task force would be	
	299:16 responsible for those investigations?	
299:21 - 299:22	Cox, Darren 07-15-2020 (00:00:04)	VM32.145
	299:21 THE WITNESS: Other members of the	
	299:22 FBI in Huntington or Charleston.	
300:08 - 300:15	Cox, Darren 07-15-2020 (00:00:22)	VM32.146
	300:8 Q. Are you familiar with the term	
	300:9 "Suspicious Order Report?"	
	300:10 A. I am not.	
	300:11 Q. Are you aware, based on your	
	300:12 involvement with the task force, of the task	
	300:13 force ever having used a Suspicious Order	
	300:14 Report in connection with a diversion	
	300:15 investigation?	
300:20 - 300:20	Cox, Darren 07-15-2020 (00:00:01)	VM32.147

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311:09 - 311:21	<p>300:20 THE WITNESS: I am not.</p> <p>Cox, Darren 07-15-2020 (00:01:58)</p> <p>311:9 MR. PETKIS: I'm going to mark</p> <p>311:10 Exhibit 56.</p> <p>311:11 (Deposition Exhibit 56 was marked</p> <p>311:12 for identification.)</p> <p>311:13 BY MR. PETKIS:</p> <p>311:14 Q. Let me know once you have had a</p> <p>311:15 chance to review that.</p> <p>311:16 A. Okay.</p> <p>311:17 Q. This exhibit is a combined e-mail</p> <p>311:18 attachment.</p> <p>311:19 Do you see yourself copied on the</p> <p>311:20 first e-mail there dated January 19, 2016?</p> <p>311:21 A. I do.</p>	VM32.148
313:17 - 314:01	<p>Cox, Darren 07-15-2020 (00:00:14)</p> <p>313:17 The very first paragraph begins:</p> <p>313:18 "Huntington, West Virginia, to a lesser extent,</p> <p>313:19 Charleston, West Virginia, are major</p> <p>313:20 destinations for traffickers transporting</p> <p>313:21 controlled pharmaceutical drugs (CPDs) and</p> <p>313:22 heroin from Detroit, Michigan."</p> <p>314:1 Do you see that?</p>	VM32.149
314:02 - 314:02	<p>Cox, Darren 07-15-2020 (00:00:01)</p> <p>314:2 A. Yes.</p>	VM32.150
314:14 - 316:04	<p>Cox, Darren 07-15-2020 (00:01:48)</p> <p>314:14 Q. The very next sentence here reads:</p> <p>314:15 "Although the movement of CPDs from Detroit to</p> <p>314:16 West Virginia has been stable, for the past</p> <p>314:17 several years, the volume of heroin trafficking</p> <p>314:18 is increasing as heroin abuse expands in West</p> <p>314:19 Virginia."</p> <p>314:20 Did I read that correctly?</p> <p>314:21 A. Yes.</p> <p>314:22 Q. Is that consistent with your</p> <p>315:1 understanding of the volume of prescription</p> <p>315:2 drug trafficking compared to heroin trafficking</p> <p>315:3 around the time you left the task force in</p> <p>315:4 2015?</p> <p>315:5 A. No. I would -- in my opinion, no.</p>	VM32.151

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315:6	Q. And why not?	
315:7	A. I believe the prescription	
315:8	medication decreased and heroin increased.	
315:9	Q. Okay. Understood. So where it says	
315:10	here that: "The movement of CPDs from Detroit	
315:11	to West Virginia has been stable," you disagree	
315:12	because you believe it actually decreased,	
315:13	correct?	
315:14	A. Yes.	
315:15	Q. The next paragraph begins: "As	
315:16	heroin abuse and trafficking in West Virginia	
315:17	have increased, Detroit traffickers have	
315:18	swiftly exploited their CPD trafficking	
315:19	connections and methods to sell heroin in	
315:20	Huntington and Charleston and by extension,	
315:21	rural West Virginia."	
315:22	Did I read that correctly?	
316:1	A. Yes.	
316:2	Q. Do you agree with that assessment	
316:3	based on your work with the task force at the	
316:4	time you left in 2015?	
316:07 - 316:07	Cox, Darren 07-15-2020 (00:00:01)	VM32.152
	316:7 THE WITNESS: Yes.	
316:09 - 316:12	Cox, Darren 07-15-2020 (00:00:08)	VM32.153
	316:9 Q. So it's your understanding then that	
	316:10 criminals who had been trafficking prescription	
	316:11 drugs began to traffic heroin from Detroit to	
	316:12 West Virginia instead?	
316:16 - 316:16	Cox, Darren 07-15-2020 (00:00:01)	VM32.154
	316:16 THE WITNESS: Yes.	
316:18 - 316:21	Cox, Darren 07-15-2020 (00:00:08)	VM32.155
	316:18 Q. Those criminals essentially then	
	316:19 made the choice to focus more on distributing	
	316:20 heroin compared to pharmaceutical drugs; is	
	316:21 that correct?	
317:03 - 317:03	Cox, Darren 07-15-2020 (00:00:01)	VM32.156
	317:3 THE WITNESS: Yes.	
317:05 - 317:14	Cox, Darren 07-15-2020 (00:00:24)	VM32.157
	317:5 Q. The very next sentence reads: "This	
	317:6 trend is expected to increase supply, drive	

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	317:7 down prices and contribute to an uptick in 317:8 trafficking-related violence in West Virginia." 317:9 Did I read that correctly? 317:10 A. Yes. 317:11 Q. Is that statement consistent with 317:12 your understanding at the time you left the 317:13 task force in 2015? 317:14 A. Yes.	
321:13 - 321:22	Cox, Darren 07-15-2020 (00:00:28) 321:13 Q. Based on your law enforcement 321:14 experience and your work with the task force, 321:15 is it your understanding that part of what 321:16 makes illegal drugs so dangerous is that they 321:17 can be laced with other drugs? 321:18 A. Yes. 321:19 Q. And the end user of those illegal 321:20 drugs might not know that the drugs are laced 321:21 with something else, correct? 321:22 A. Correct.	VM32.158
339:02 - 340:03	Cox, Darren 07-15-2020 (00:00:56) 339:2 Q. So, Special Agent Cox, you recall 339:3 earlier I asked you some questions about the 339:4 techniques and methods that the task force used 339:5 as part of its diversion investigations. 339:6 Do you remember that? 339:7 A. Yes. 339:8 Q. Based on your experience with the 339:9 task force, did the task force make use of 339:10 either physical or electronic surveillance as 339:11 part of its diversion investigations? 339:12 A. Yes. 339:13 Q. Did the task force make use of 339:14 confidential informants as part of its 339:15 diversion investigations? 339:16 A. Yes. 339:17 Q. Did the task force make use of 339:18 cooperating defendants as part of its diversion 339:19 investigations? 339:20 A. Yes. 339:21 Q. And did the task force make use of	VM32.159

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339:22 wiretaps as part of its diversion

340:1 investigations?

340:2 A. During my time, we did not, but we

340:3 have the capabilities.

Defendants' Affirmatives = 00:40:43

Plaintiffs' Counters = 00:07:55

Defendants' Completeness = 00:04:29

Plaintiffs' Completeness = 00:07:38

Total Time = 01:00:44